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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,861	01/19/2000	Toshifumi Oba	51270-245626	3664

7590 10/01/2002

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 10/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/487,861

Applicant(s)

OBA ET AL.

Examiner

X L Bautista

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 19 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. **Claims 1-4 and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by *Humpleman et al* (US 6,288,716 B1).**

Claims 1, 13, 14, 15:

Humpleman discloses a method for commanding and controlling diverse home devices. The home devices can display user interface data, which defines a user interface for commanding and controlling the home devices. The system has a main section, an editing section, a storage section (col. 25, lines 7-9) and a display section. A configuration manager maintains a list of the home devices that are currently connected to the home network (abstract; col. 2, lines 46-60). Humpleman teaches in fig. 5A a device link page 402 that contains home device buttons 406 for

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each home device; when the user selects a button 406, the respective device's home page is displayed (col. 13, lines 52-60). Fig. 6 illustrates a device link page 502 containing home device buttons 504 and manufacturer device buttons 506 (col. 14, lines 4-7). The user may define the arrangement of device images and logos according to his or her own criteria. The user may change the device's label as shown in figs. 8, 10 and 11; instead of displaying a device button with the label TV, the user may change the label to "Dad's TV" since the device's HTML page has been customized by "Dad" (col. 14, lines 13-16; fig. 7; col. 21, lines 1-67; col. 22, lines 1-16).

Claims 2, 3, and 4:

See claim 1. See figs. 5A, 8, 10, and 11; col. 9, lines 30-63.

Claim 16:

See claim 1. See col. 5, lines 62-67; col. 19, lines 27-31.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 5-12, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman in view of Miller (US 5,530,924).**

Claims 5 and 9:

See claim 2. Humpleman does not teach that the system can apply different modes of

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sound effects to an audio signal with visual indication of the sound effects by labels. However, Miller discloses a radio receiver having stored radio station memory presets that stores audio effects associated with stored radio station presets (abstract; col. 1, lines 10-13). Miller teaches that the system provides memory storage of a desired audio effect corresponding to each broadcast channel corresponding to a memory preset. A user may set tonal qualities and/or sound files simulations for a particular broadcast channel which will automatically be recalled when accessing that broadcast channel via a memory preset (col. 1, lines 66-67; col. 2, lines 1-12). Therefore, it would have been obvious to include different modes of sound effects to an audio signal with visual indications by labels in Humpleman's invention because as Miller says "these various audio effects allow individual preferences depending on the type of broadcast programming being received" (col. 1, lines 46-58).

Claims 6, 7, 8, 11, 17, and 18:

See claim 5. Miller teaches an audio system having a radio tuner selectably tunable to a plurality of broadcast channels (col. 2, lines 10-27).

Claims 10 and 12:

See claim 5. Miller teaches a system having capabilities of inputting an audio signal from different types of signal sources (col. 2, lines 10-27, 51-67; col. 3, lines 21-36).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

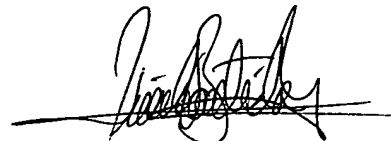
Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on M-Th (8:00-18:00) Fridays Off.

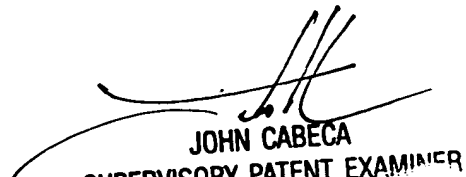
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703) 308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



X L Bautista
Examiner
Art Unit 2173

xlb
September 25, 2002



JOHN CABECA
SUPERVISORY PATENT EXAMINER
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